

1 **LEWIS BRISBOIS BISGAARD & SMITH LLP**
2 TONY M. SAIN, SB# 251626
3 E-Mail: Tony.Sain@lewisbrisbois.com
4 TORI L. N. BAKKEN, SB# 329069
5 E-Mail: Tori.Bakken@lewisbrisbois.com
6 ABIGAIL J. R. McLAUGHLIN, SB# 313208
7 E-Mail: Abigail.McLaughlin@lewisbrisbois.com
8 633 West 5th Street, Suite 4000
9 Los Angeles, California 90071
10 Telephone: 213.250.1800
11 Facsimile: 213.250.7900

12
13 Attorneys for Defendants,
14 CITY OF ANTIOCH, FMR. CHIEF
15 TAMMANY BROOKS, FMR. CHIEF TONY
16 MOREFIELD, FMR. CHIEF STEVEN FORD,
17 CPL. SCOTT DUGGAR, OFCR. TOM
18 LENDERMAN, SGT. LOREN BLEDSOE,
19 OFCR. THOMAS SMITH, OFCR. ROBERT
20 GERBER, OFCR. KYLE HILL, OFCR. RYAN
21 GEIS, OFCR. BROCK MARCOTT, SGT. RICK
22 HOFFMAN, FMR. CITY MANAGER KWAME
23 REED, AND JONATHAN ADAMS

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

TRENT ALLEN, individually; SHAGOOFA KHAN, individually; ADAM CARPENTER, individually; JOSHUA BUTLER, individually; DEJON RICHARDS, individually; DRESHAWN JACKSON, individually; KARDELL SMITH, individually; DAVID MACKIN, individually, TERRY DWAYNE ROBINSON, JR., individually; MANDINGO CAIN, individually; AMADEO GARCIA, JR., individually; ARON TYSON, individually; DAUNTE GELLINGTON, individually; ROBERT YOUNG, individually; TERRY THOMAS, individually; SHAQUILLE HILLARD, individually; DANYEL EARL LACY, individually; MARCELL LEWIS, individually; GREGORIO YARBOROUGH, individually; QUINCY MASON, individually; TAHJAY MCCULLOUGH, individually;

Plaintiffs,

vs.

Case No. 3:23-cv-01895-VC [Consolidated with Case Nos. 23-cv-03773-VC and 3:23-cv-06573-VC and 24-cv-01774-VC]
[Hon. Vince Chhabria, Dist. Judge]

PARTIES' JOINT CASE MANAGEMENT STATEMENT REGARDING PROPOSED DATES FOR CASE MANAGEMENT CONFERENCES AND PROPOSED PRE-TRIAL SCHEDULES FOR EACH GROUP OF PLAINTIFFS

Date: October 11, 2024
Time: 2:00 p.m.
Crtrm.: Zoom

Amend. Consol. Complaint Filed: 05/13/2024
Complaint Filed (Pugh): 03/22/2024
Consol. Complaint Filed: 02/02/2024
Complaint Filed (Allen): 04/19/2023
Complaint Filed (Robinson): 08/11/2023
Deemed Related: 11/08/2023

3:23-cv-01895-VC [Consolidated with Case Nos. 23-cv-03773-SI and 3:23-cv-06573-VC]

1 CITY OF ANTIOCH, a municipal
 2 corporation; TAMMANY BROOKS,
 3 individually and in his official capacity as
 4 police chief for the CITY OF ANTIOCH;
 5 TONY MOREFIELD, individually and in his
 6 official capacity as interim police chief for the
 7 CITY OF ANTIOCH; STEVEN FORD,
 8 individually and in his official capacity as
 9 interim police chief for the CITY OF
 10 ANTIOCH; MATTHEW NUTT, individually
 11 and in his official capacity as a police officer
 12 for the CITY OF ANTIOCH; JOSH EVANS,
 13 individually and in his official capacity as a
 14 police sergeant for the CITY OF ANTIOCH;
 15 ERIC ROMBOUGH, individually and in his
 16 official capacity as a police officer for the
 17 CITY OF ANTIOCH; MORTEZA AMIRI,
 18 individually and in his official capacity as a
 19 police officer for the CITY OF ANTIOCH;
 20 SCOTT DUGGAR, individually and in his
 21 official capacity as a police officer for the
 22 CITY OF ANTIOCH; JOHN RAMIREZ,
 23 individually and in his official capacity as a
 24 police officer for the CITY OF ANTIOCH;
 25 TIMOTHY MANLY WILLIAMS,
 26 individually and in his official capacity as a
 27 police officer for the CITY OF ANTIOCH;
 28 TOM LENDERMAN, individually and in his
 official capacity as a police officer for the
 CITY OF ANTIOCH; LOREN BLEDSOE,
 individually and in his official capacity as a
 police sergeant for the CITY OF ANTIOCH;
 THOMAS SMITH, individually and in his
 official capacity as a police officer for the
 CITY OF ANTIOCH; CALVIN PRIETO,
 individually and in his official capacity as a
 police officer for the CITY OF ANTIOCH;
 ANDREA RODRIGUEZ, individually and in
 her official capacity as a police officer for the
 CITY OF ANTIOCH; JONATHAN ADAMS,
 individually and in his official capacity as a
 police officer for the CITY OF ANTIOCH;
 DEVEN WENGER, individually and in his
 official capacity as a police officer for the
 CITY OF ANTIOCH; DANIEL HARRIS,
 individually and in his official capacity as a
 police officer for the CITY OF ANTIOCH;
 ROBERT GERBER, individually and in his
 official capacity as a police officer for the
 CITY OF ANTIOCH; KYLE HILL,
 individually and in his official capacity as a
 police officer for the CITY OF ANTIOCH;
 Officer MARCOTT, individually and in his
 official capacity as a police officer for the
 CITY OF ANTIOCH; ARRON HUGHES.

CMC Date:
Trial Date:

09/25/2024
None Yet Set

1 individually and in his official capacity as a
 2 police officer for the CITY OF ANTIOCH;
 3 RYAN GEIS, individually and in his official
 4 capacity as a police officer for the CITY OF
 5 ANTIOCH; ANTIOCH POLICE
 6 DEPARTMENT OFFICER MOORE,
 7 individually and in his official capacity as a
 8 police officer for the CITY OF ANTIOCH;
 9 and DOES 1-100, inclusive,

10
 11 Defendants.
 12
 13

14 **TO THE COURT, PARTIES, AND THEIR RESPECTIVE ATTORNEYS OF RECORD:**

15 PLEASE TAKE NOTICE that, pursuant to the operative Orders of the honorable Court,
 16 Plaintiffs and Defendants hereby submit their Proposed Dates for Case Management Conference
 17 and Proposed Pre-Trial Schedules for Each Group of Plaintiffs as identified in the signature blocks
 18 below.

19 **1. PARTIES' AVAILABILITY FOR MONTHLY CMC HEARINGS.**

20 On October 1, 2024, the Court informed the Parties that both Case Management Conferences
 21 ("CMC") and Discovery Status Conferences will occur on Monday afternoons, beginning at 2:00
 22 p.m. with a CMC with Judge Chhabria and then a Discovery Status Conference with Judge Kim at
 23 3:00 p.m. or immediately after the CMC, whichever is later, and take place approximately every 4
 24 weeks. The Court requested that the Parties meet and confer regarding a schedule for these
 25 conferences through September 2025 and the Parties propose the following:

- 26 • November 18, 2024;
- 27 • December 9, 2024 (However, please note that lead City Defendants' counsel Tony
 M. Sain will be unavailable due to medical leave, as explained on the record at the
 September 25, 2024 CMC);
- 28 • January 6, 2025;
- 29 • February 3, 2025 (Plaintiffs' counsel has a jury trial in front of Judge Beeler (*Lopez
 v. Santa Rosa*) beginning on February 3, 2025, but does not believe it will go
 forward);
- 30 • February 24, 2025 (due to the City Attorney's conflict on March 3, 2025);
- 31 • April 7, 2025 (City Defendants' counsel would request that such CMC be via

1 Zoom, as lead City Defendants' counsel Tony M. Sain has an in-person Final Pre-
 2 Trial Conference in Riverside, California that morning regarding the *Vasquez, et al.*
 3 v. *County of Riverside, et al.* matter (U.S.D.C., C.D. Cal. Case No. 5:23-cv-00988-
 4 JGB-DTB);

- 5 • May 5, 2025 ((City Defendants' counsel would request that such CMC be via
 6 Zoom, as lead City Defendants' counsel Tony M. Sain has an in-person Final Pre-
 7 Trial Conference in Riverside, California that morning regarding the *Chacon, et al.*
 8 v. *County of Riverside, et al.* matter (U.S.D.C., C.D. Cal. Case No. 5:23-cv-00990-
 9 JGB-SHK);
- 10 • June 2, 2025 (Plaintiffs' counsel has a jury in front of Judge Cisneros (*Coleman v.*
 11 *City of Oakland*) beginning on June 2, 2025, but does not believe it will go
 12 forward);
- 13 • July 7, 2025;
- 14 • August 4, 2025; and
- 15 • September 2, 2025.

16 **2. PARTIES' PROPOSED PRE-TRIAL SCHEDULES.**

17 **Group 1 (J. Allen, T. Allen, Pugh, Robinson, Mason):**

Case Management Event:	Date-Deadline:
Motions to Amend Pleadings or Add Parties – Filing Due	12/23/2024
Fact Discovery Cut-Off	04/25/2025
Expert Disclosures Due (initial)	04/28/2025
Rebuttal-Supplemental Expert Disclosures Due	05/12/2025
Expert Discovery Cutoff – Last Day to Complete	05/26/2025
Dispositive Motions/MSJs & Non-Discovery Motion Filing Deadline (e.g., non-discovery motions unrelated to the conduct of trial)	06/13/2025
Dispositive Motion Hearing Cut-Off – Last Day for Hearing Dispositive/Non-Discovery Motions (MSJs)	07/11/2025
Pre-Trial Documents Filing Deadline	08/11/2025
Final Pre-Trial Conference; Hearing on Motions <i>in Limine</i>	09/08/2025
TRIAL (Jury Trial)	09/16/2025

23 **Group 2 (Butler, Carpenter, Jackson, Khan, Lacy, Lewis):**

Case Management Event:	Date-Deadline:
Motions to Amend Pleadings or Add Parties – Filing Due	05/05/2025
Fact Discovery Cut-Off	08/11/2025
Expert Disclosures Due (initial)	08/18/2025
Rebuttal-Supplemental Expert Disclosures Due	09/01/2025
Expert Discovery Cutoff – Last Day to Complete	09/12/2025

Case Management Event:	Date-Deadline:
Dispositive Motions/MSJs & Non-Discovery Motion Filing Deadline (e.g., non-discovery motions unrelated to the conduct of trial)	10/03/2025
Dispositive Motion Hearing Cut-Off – Last Day for Hearing Dispositive/Non-Discovery Motions (MSJs)	11/07/2025
Pre-Trial Documents Filing Deadline	12/15/2025
Final Pre-Trial Conference ; Hearing on Motions <i>in Limine</i>	01/12/2026
TRIAL (Jury Trial)	01/27/2026

Group 3 (Cain, Hillard, Mackin, Smith, Thomas, Tyson, Yarborough):

Case Management Event:	Date-Deadline:
Motions to Amend Pleadings or Add Parties – Filing Due	09/15/2025
Fact Discovery Cut-Off	12/22/2025
Expert Disclosures Due (initial)	01/09/2026
Rebuttal-Supplemental Expert Disclosures Due	01/16/2026
Expert Discovery Cutoff – Last Day to Complete	02/06/2026
Dispositive Motions/MSJs & Non-Discovery Motion Filing Deadline (e.g., non-discovery motions unrelated to the conduct of trial)	02/20/2026
Dispositive Motion Hearing Cut-Off – Last Day for Hearing Dispositive/Non-Discovery Motions (MSJs)	03/20/2026
Pre-Trial Documents Filing Deadline	04/20/2026
Final Pre-Trial Conference ; Hearing on Motions <i>in Limine</i>	05/18/2026
TRIAL (Jury Trial)	05/26/2026

Group 4 (Garcia, Gellington, McCullough, Pugh, Richards, Suitter, Young):

Case Management Event:	Date-Deadline:
Motions to Amend Pleadings or Add Parties – Filing Due	01/12/2026
Fact Discovery Cut-Off	04/24/2026
Expert Disclosures Due (initial)	05/08/2026
Rebuttal-Supplemental Expert Disclosures Due	05/22/2026
Expert Discovery Cutoff – Last Day to Complete	06/05/2026
Dispositive Motions/MSJs & Non-Discovery Motion Filing Deadline (e.g., non-discovery motions unrelated to the conduct of trial)	06/19/2026
Dispositive Motion Hearing Cut-Off – Last Day for Hearing Dispositive/Non-Discovery Motions (MSJs)	07/17/2026
Pre-Trial Documents Filing Deadline	08/21/2026
Final Pre-Trial Conference ; Hearing on Motions <i>in Limine</i>	09/14/2026
TRIAL (Jury Trial)	09/29/2026

1 DATED: October 11, 2024

BURRIS NISENBAUM CURRY & LACY LLP

2 By: /s/ Benjamin Nisenbaum
3 BENJAMIN NISENBAUM
4 JOHN L. BURRIS
5 JAMES COOK
6 KATHERINE MACELHINEY
7 Attorneys for Plaintiffs (Excluding Pugh)

8 DATED: October 11, 2024

LEWIS BRISBOIS BISGAARD & SMITH LLP

9 By: /s/ Tony M. Sain
10 TONY M. SAIN
11 TORI L. N. BAKKEN
12 Attorneys for Defendants,
13 CITY OF ANTIOCH, FMR. CHIEF TAMMANY
14 BROOKS, FMR. CHIEF TONY MOREFIELD,
15 FMR. CHIEF STEVEN FORD, CPL. SCOTT
16 DUGGAR, OFCR. TOM LENDERMAN, SGT.
17 LOREN BLEDSOE, OFCR. THOMAS SMITH,
18 OFCR. ROBERT GERBER, KYLE HILL, RYAN
19 GEIS, OCFR. BROCK MARCOTT, SGT. RICK
20 HOFFMAN, FMR. CITY MANAGER KWAME
21 REED, AND JONATHAN ADAMS

22 DATED: October 11, 2024

**CLAPP, MORONEY, VUCINICH, BEEMAN &
SCHELEY**

23 /s/ Kenny C. Park

24 JEFFREY VUCINICH
25 KENNY C. PARK
26 Attorneys for Defendant,
27 JOHN RAMIREZ

28 DATED: October 11, 2024

**MCNAMARA, AMBACHER, WHEELER,
HIRSIG & GRAY LLP**

29 /s/ Noah Blechman

30 NOAH BLECHMAN
31 JOHN J. SWAFFORD
32 Attorney for Defendant,
33 TIMOTHY MANLY-WILLIAMS

1 DATED: October 11, 2024

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LONGYEAR & LAVRA, LLP

/s/ Nicole M. Cahill

DAYTON VANVRANKEN LONGYEAR
NICOLE M. CAHILL
Attorneys for Defendant,
JOSHUA EVANS

DATED: October 11, 2024

**CASTILLO MORIARTY TRAN AND ROBINSON
LLP**

/s/ John Robinson

PATRICK DANIEL MORIARTY
JOHN ROBINSON
Attorneys for Defendant,
ANDREA RODRIGUEZ

DATED: October 11, 2024

RIDLEY MASTER

/s/ Shangyayi Liu

TODD MASTER
SHANGYAYI LIU
Attorneys for Defendant,
ANDREA RODRIGUEZ

DATED: October 11, 2024

RIVERA HEWITT PAUL LLP

/s/ Jonathan Paul

JONATHAN PAUL
WENDY MOTOOKA
Attorneys for Defendant,
DEVON WENGER

DATED: October 11, 2024

COLLINS + COLLINS LLP

By:

Robert C. Leiford III

ROBERT C. LEIFORD III
MICHAEL L. WRONIAK
KATHLEEN A. HUPKE
Attorneys for Defendant,
AARON HUGHES

FEDERAL COURT PROOF OF SERVICE
ALLEN, et al. v. CITY OF ANTIOCH, et al. LBBS File No: #55035.3
USDC/Northern District Case No. 3:23-cv-01895-VC

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 633 West 5th Street, Suite 4000, Los Angeles, CA 90071. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On October 11, 2024, I served the following document(s): **PARTIES' PROPOSED DATES FOR CASE MANAGEMENT CONFERENCES AND PROPOSED PRE-TRIAL SCHEDULES FOR EACH GROUP OF PLAINTIFFS**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

SEE ATTACHED SERVICE LIST

The documents were served by the following means:

(BY E-MAIL OR ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on October 11, 2024, at Los Angeles, California.

/s/ *Abigail J. R. McLaughlin*
Abigail J.R. McLaughlin

1 **SERVICE LIST**

2 **ALLEN, et al. v. CITY OF ANTIOCH, et al. LBBS File No: #55035.3**

3 **USDC/Northern District Case No. 3:23-cv-01895-VC**

4 **[Consolidated with ROBINSON, et al. Case No. 23-cv-03773-SI and 3:23-cv-06573-VC]**

5 John L. Burris, Esq.
6 Benjamin Nisenbaum, Esq.
7 James Cook, Esq.
8 Katherine MacElihiney, Esq.
9 Crystal Mackey
10 LAW OFFICES OF BURRIS, NISENBAUM,
11 CURRY, & LACY
12 Airport Corporate Centre
13 7677 Oakport Street, Suite 1120
14 Oakland, CA 94621
15 Tel: (510) 839-5200
16 Fax: (510) 839-3882
17 john.burris@johnburrislaw.com
18 bnisenbaum@gmail.com
19 james.cook@johnburrislaw.com
20 Katherine@bncllaw.com
21 crystal.mackey@johnburrislaw.com

5 **ATTORNEYS FOR PLAINTIFFS:**

6 **TRENT ALLEN, SHAGOOFYA KHAN,
7 ADAM CARPENTER, JOSHUA BUTLER,
8 DEJON RICHARDS, DRESHAWN
9 JACKSON, KARDELL SMITH, DAVID
10 MACKIN, AMADEO GARCIA, ARON
11 TYSON, DAUNTE GELLINGTON, DIEGO
12 SAVALA, MANDINGO CAIN, ROBERT
13 YOUNG, TERRY ROBINSON, TERRY
14 THOMAS,**

15 Dale Allen, Esq.
16 Matthew Matejcek
17 ALLEN, GLAESNER, HAZELWOOD, &
18 WERTH LLP
19 180 Montgomery Street, Suite 1200
20 San Francisco, CA 94104
21 Tel: (415) 697-2000
22 Fax: (415) 813-2045
23 DAllen@aghqlaw.com;
24 tcostes@aghqlaw.com;
25 erodas@aghqlaw.com

15 **ATTORNEYS FOR DEFENDANT:
16 ERIC ROMBOUGH**

17 Noah Blechman
18 John Swafford
19 Sabrina Ahia
20 McNAMARA, AMBACHER, WHEELER,
21 HIRSIG & GRAY LLP
22 3480 Buskirk Avenue, Suite 250
23 Pleasant Hill, CA 94523
24 Tel: (925) 939-5330
25 Fax: (925) 939-0203
26 noah.blechman@mcnamaralaw.com;
27 John.Swafford@mcnamaralaw.com;
28 sabrina.ahia@mcnamaralaw.com

17 **ATTORNEYS FOR DEFENDANT:
18 TIMOTHY MANLY WILLIAMS**

1 Todd Master
2 Shangyayi Liu
RIDLEY♦ MASTER
3 1900 O'Farrell Street, Suite 280
4 San Mateo, CA 94403
5 Tel: (650) 365-7715
6 Fax: (650) 364-2597
tmaster@hrmrlaw.com
sliu@hrmrlaw.com
fkelly@hrmrlaw.com

ATTORNEYS FOR DEFENDANT:
MORTEZA AMIRI

7 John Robinson
8 Edward Viera-Ducey
CASTILLO MORIARTY TRAN AND
ROBINSON LLP
9 75 Southgate Avenue
Daly City, CA 94015
10 Tel: (415) 213-4098
jrobinson@cmtrlaw.com;
evieira-ducey@cmtrlaw.com
kkarpenske@cmtrlaw.com

ATTORNEYS FOR DEFENDANT:
ANDREA RODRIGUEZ

13 Jonathan Paul
14 Wendy Motooka
RIVERA HEWITT PAUL LLP
15 11341 Gold Express Drive, Suite 160
Gold River, CA 95670
16 Tel: (916) 922-1200
jpaul@rhplawyers.com;
wmotooka@rhplawyers.com;
mgreen@rhplawyers.com

ATTORNEYS FOR DEFENDANT:
DEVON WENGER

19 Eric J. Bengtson, Esq.
20 Steven B. Dippell, Esq.
DAVIS, BENGTSON & YOUNG, APLC
21 1960 The Alameda, Suite 210
San Jose, CA 95126
22 Tel. (408) 261-4206 – direct line
Fax: (408) 985-1814 – fax
SDippell@dbv-law.com;
eric@dbv-law.com;
jheaton@dbv-law.com

ATTORNEYS FOR DEFENDANT:
CALVIN PRIETO

1 Kenny C. Park, Esq.
2 Jeffrey M. Vucinich, Esq.
3 **CLAPP, MORONEY, VUCINICH,
4 BEEMAN
5 and SCHELEY**
6 A PROFESSIONAL CORPORATION
7 1730 S El Camino Real, Suite 500
8 San Mateo, CA 94402
9 Tel. (650) 989-5400
10 Fax. (650) 989-5499
11 JVucinich@clappmoroney.com;
12 kpark@clappmoroney.com

**ATTORNEYS FOR DEFENDANT:
OFFICER JOHN RAMIREZ**

13 Nicole M. Cahill, Esq.
14 Van Longyear, Esq.
15 Ashley M. Calvillo, Esq.
16 **LONGYEAR & LAVRA, LLP**
17 555 University Avenue, Suite 280
18 Sacramento, CA 95825
19 Tel: (916) 974-8500
20 Fax: (916) 974-8510
21 longyear@longyearlaw.com
22 cahill@longyearlaw.com
23 calvillo@longyearlaw.com
24 gonzales@longyearlaw.com

**ATTORNEYS FOR DEFENDANT:
JOSHUA EVANS**

25 Chester E. Walls, Esq.
26 **Litigation Engineered**
27 1300 E. Shaw Avenue, Suite 125
28 Fresno, CA 93710
Mobile (559) 593-8707
Telephone (559) 221-2771 (Ext. 104)
Facsimile (559) 221-2775
cew@litg-engr.com;
drp@litg-engr.com

**ATTORNEY FOR DEFENDANT:
MATTHEW NUTT**